

FAX RECEIVED  
PPD  
PROSB/61 (6-95)Approved for use through 07/31/96. OMB 0651-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEPETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a), 37 CFR 1.155(b) OR 37 CFR 1.316(b)

Docket Number (Optional)

OFFICE

First named inventor: FENN, JOHN B

Group Art Unit: 2506

Application Number: 07/911,405

Examiner: NGUYEN, K

Filed: 07/10/92

Title: A COMPOSITION OF MATTER OF MULTIPLY CHARGED IONS  
DERIVED FROM POLYATOMIC PARENT MOLECULAR SPECIESAttention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact Petitions Information  
at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to the Office action mailed on 07/10/95, which set a 3 month/day period for response. The abandonment date of this application is 10/10/95 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Proposed response and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee (if petition is filed more than 6 months after abandonment date) - required for all applications filed before June 8, 1995 and all design applications filed on or after June 8, 1995; and
- (4) Adequate showing of the cause of unavoidable delay

## 1. Petition fee

small entity - fee \$ 55 (37 CFR 1.17(l)).

small entity statement enclosed herewith.

small entity statement previously filed.

other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(l)).

## 2. Proposed response and/or fee

## A. The proposed response to the above-noted Office action in the form

of Response to Examiner's Amendment (Identify the type of response):  
was previously filed on 10/10/95

is enclosed herewith.

## B. The issue fee of \$ 605 stated on notice of allowance

was previously paid on 10/10/95 (see attached copy)

is enclosed herewith. 15 \$ 20.00, the amount by which fee rose on 08/08/95

Burden Hour Statement: This form is estimated to take 1 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/61 (6-95)

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## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

Since this petition is filed within 6 months of the abandonment date no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_ for a small entity or \$\_\_\_\_ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

## 4. Adequate showing of the cause of unavoidable delay is enclosed.

01/22/96

Date

Telephone  
Number: (804) 828-7511John B. Fenn

Signature

JOHN. B. FENN

Typed or printed name

4909 Cary Street Road

Address

Richmond, VA 23226Enclosures:  Declarations establishing unavoidable delay Fee Payment Response Terminal Disclaimer Form Small Entity Status Form ① Copy of original money order, ② copy of PART B - ISSUE FEE TRANSMISSION FORM  
③ copy of Notice of Abandonment FORM

By completing the Certificate of Mailing, below, the date mailed will be considered the date this correspondence is filed.

## CERTIFICATE OF MAILING [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

1/25/96

Date

John B. Fenn

Signature

JOHN B. FENN

Typed or printed name of person signing Certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a), 37 CFR 1.155(b) OR 37 CFR 1.316(b)**

**NOTE:** The following showing of the cause of unavoidable delay must be in the form of a declaration and must be signed by all applicants and by any other party who is presenting statements concerning the cause of delay.

The undersigned declares that the following statements made of his/her own knowledge are true, and that these statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

01/22/96

Date



Signature

JOHN B FENN

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper response)

The notice of allowability for all claims in this application was mailed to me on 7/10/95. It stated that a fee of \$605 was due by 10/10/94. On that date I mailed a Post Office Money Order along with a response to the Office Action 7/10/95 in which the Examiner had proposed amendments to the claims to put them in allowable form. A certificate of mailing was appended to my response. On 12/07/95 a Notice of Abandonment was mailed to me on the grounds that I had failed to pay the required issue fee. After a series of telephone calls I finally learned from the Petitions Office that the reason for the Notice of Abandonment was that the fee had gone up \$20 on 10/01/95 so that I should have sent \$625 instead of \$605. I think that part of the problem in my attempts to track down this problem arose from my error in failing to note that the Fee Transmittal Form should have accompanied the fee. I apologize for that omission and enclose that form along with a Money Order for \$75 to cover the \$20 due on the issue fee as well as the \$55 fee for this Petition.

I respectfully suggest that I had every reason to believe the statement on the Notice of Allowability indicating clearly that the amount due by 10/10/95 was \$605. I paid that amount in good faith, having had no way of knowing that the fee had changed on 10/1/95. Therefore I respectfully request that the application be revived.

(Please attach additional sheets if additional space is necessary)

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